

App. F. IX-4

Previous References.

19 38
(Law)

PRESERVED

File No. 775-38

Serial Nos. 1-8

F.NO. 115-38

SL. NO. 1-8

Later References.

GENERAL AND REVENUE SECRETARIAT

(80)

Part B for Nov 50

SUBJECT

Civil Suit no. 104/34 on the file
of the Sub court. Kunka
Second Appeal No. 165/48-9 on the
file of the High Court. Bombay

2103-41 Law 115-38-8 D. 26.8.41

Sanction the appointment
of a lawyer
to conduct the case

General and Revenue
Secretariat

File No. 115

of 1938.

[App. F. III—2]

OFFICE OF THE MUZRAI COMMISSIONER IN MYSORE,

Bangalore, ...14th November.....193 6

17

FROM

K. V. ANANTARAMAN, Esq., B.A.,
Muzrai Commissioner in Mysore,
Bangalore.

TO

M. Venkatesa Iyengar, Esq., M.A.,

Secretary to Government of His Highness
the Maharaja of Mysore,

GENERAL SECRETARY

18 NOV. 1936

General.....Department,

SIR,

Civil Suit No.504/34 on the file of the Sub Court at
Kumta for possession of certain properties at Go-
karna belonging to Sri Sringeri Matha.

With reference to correspondence ending with your letter
No.6763 dated 11-4-1936, I have the honor to state that it is
intimated by the Officer-in-Charge, that the above case stands
adjourned to 14-12-1936 for examination of defendants.

I have the honor to be,
Sir,
Your most obedient servant.

Muzrai Commissioner

Muzrai Commissioner.

[Signature]

1) Subd for perusal.

[Signature]
20/11

2) BMR
20.11.36

3) Subd with a dft. for approval.

[Signature]
11/12

4) dshu
BMR
8.2.36

Civil Suit No 504/34 on the file of the Sub-Court
at Kumbha for possession of certain properties
at Gokarna belonging to the Sri Sringeri Mutt.

File No.
Law

of 193

General and Revenue
Secretariat

Serial
No.

From

The Muz. Commr

Letter no. C. 1264/35-36, dt. 15-3-37.
forwards copies of letters received by
him intimating the present stage of
the case.

5) It is seen from the letter (of the officer-in-charge, Sringeri (Flag C)) that the case stands adjourned to 18-3-37. Examination of witnesses is reported to have not yet begun.
Submitted.

6) 10th
17-3-37

From

The Muz. Commr

Letter no. C. 1364/35-36, dt. 20-4-37
forwards copies of letter intimating the progress of the suit and states that the additional expenditure of Rs 40/- has been sanctioned by him.

7) From the letter dated 20th March 1937 (Flag Y) from the officer-in-charge it is seen that the 10th dependent in the suit died a few days back and as

Serial
No.

As the suit cannot be proceeded with on the last date of hearing, viz., 18-3-37. It is further reported that it is necessary to file an application to bring the heirs of the deceased dependent on record, and take out fresh Summons to the legal representatives. For this purpose the officer-in-charge of the Mut required a further sum of Rs 40/-, and request permission to pay the amount out of the closing Balance. The Muzrai Commr. State that he has sanctioned the above proposal.

8) Submitted.

9) For the purposes of bringing the legal representatives of a deceased defendant, a sum of Rs 40/- seems to be rather high. It is presumed, that an lawyer will finally furnish a statement of accounts. The proposal of the Muzrai Commr. may be sanctioned.

Gen. Secy.) And
30/4

MDR
24.4.37

MDR
30.4

Letter No. 504/34 on the file of 609
the Sub-Comm at Kumbha for possession of
certain shops properties at Gokarna
belonging to the Sri Sringeri Math.
File No. 115 of 1938.
aw

General and Revenue
Secretariat

10) The Muz Commr says
V.D. that the sum of Rs 4.01
is been sanctioned by him.
or orders whether a dft be
p approving the action of the M
or to keep the file in
and watch further progress.

dft put up for approval

10KR
30.1

12) DShu

10KR
6.5

Issued no. P. 636.1, 27-7-5-37.

dft. reminder is put up for approval.

Serial
No.

2

From

The Muz. Commr

Letter no C 1364/31.26, dt 25-2-39
in the circumstances ^{referred}
Request for approval of the action taken by him
in approving the action taken by the officer-
in-charge of Sringeri jagajir in having
remitted a sum of Rs 60/- to the Mutt's Vakil
(pending adjustment in due course) for obtaining
a copy of the judgment in the case for filing
an appeal.

14) A draft G.O. approving is put up for
approval.

~~8~~
4/3

15) May be approved
BKR
6.3

Asst Secy)

16) 2nd Member)

1/2

7.3

6

6/3

6 7/3

SSM
BKR
7.3

G.O. no. P 4843-4, dt 11-3-39

File No.

of 193

General and Revenue
Secretariat

Serial
No.

A reminder is put in to the
a. --- Commissioner in Mysore
3aigam, for approval

A. C. 13]

No. *C1364/35-26*
E. 1, 16.

OFFICE OF THE MUZRAI COMMISSIONER
IN MYSORE,

Bangalore, *5th May* 1939

FROM

S. ABDUL WAJID, Esq., B.A.,

~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~

Law 115-38-4
Muzrai Commissioner in Mysore.

To

C. Subrahmanya Aiyar, Esq., B.A., B.L.,

Additional Secretary to the Government of His Highness
the Maharaja of Mysore,

..... Law Department.

SIR,

O.S.No.504/34-35 on the file of the Sub Court,
Kumbla, for possession of certain properties
belonging to Sri Sringeri Mutt at Gokarna.

(1) With reference to G.O.No.P.4843-4/Law 115-38-3 dated 11-3-1939 approving of the action taken re. the filing of an appeal against the judgment in the above case, I have the honor to forward herewith, for the information of Government, a copy of letter No.S2-1347/36-37 dated 19-4-1939 together with its enclosures, received from the Deputy Commissioner, Kadur District, reporting, among other matters, that the appeal was filed on 8th March 1939.

(2) The Deputy Commissioner, in his letter No.S2-1347/36-37 dated 25th March 1939, had reported that a sum of Rs 100 was advanced to Mr.Krishna Rao Haladipur, the Vakil at Karwar, engaged on behalf of the Mutt, for expenses of filing the appeal, and the expenditure was approved by me. It is now reported that the Deputy Commissioner has instructed the Officer-in-Charge of Sri Sringeri Mutt and Jahagir, to take another copy of the judgment at a cost of Rs 60, as the same is required by the lawyer in connection with the execution proceedings for the possession of the properties (so far as the decree is in favour of the Mutt), the one copy previously obtained having been filed with the appeal petition. In the circumstances, I have approved of the action taken by the Deputy Commissioner, in this respect also.

(3) As regards the execution of the decree in favour of the Mutt for possession of certain properties ('B' Scheduled properties), the Deputy

Commissioner has promised a further report and on receipt of the same, another communication will be made.

(4) A copy of the appeal petition filed, and other enclosures sent herewith, may kindly be returned after perusal.



I have the honor to be,

Sir,

Your most obedient servant,

Muzrai

Muzrai Commissioner.

Submitted for perusal

1) Promised further communication will be awaited

(18) After perusal the ~~papers~~ ^{said papers} will be returned as desired

B
14/5

BKR
12.8

Anal. Secy

11/8/5

BKR
13.1

(19) Subs with a draft for approval

B
15/5

Issue
BKR
16.5

Issue no. P 6089, 17-5-29

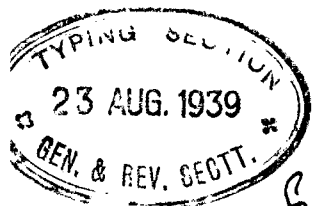
Sub C
18-5-29

20) A draft reminder is put up.

B
23/8

21) *Sm*
23/8/39

Issue no. P 1172, 24-8.



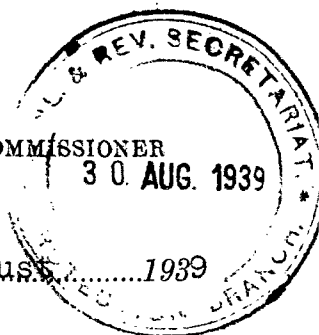
Sub A
26-8-29

M. C. 18]

No. C/364/35-36

OFFICE OF THE MUZRAI COMMISSIONER
IN MYSORE,

Bangalore, 26th August, 1939



FROM

S. ABDUL WAJID, Esq., B.A.,
~~XXXXXXXXXXXXXXXXXXXXXXX~~

Muzrai Commissioner in Mysore.

To

C. Subrahmanya Aiyar, Esq., B.A., B.L.,

Secretary to the Government of His Highness

the Maharaja of Mysore,

Law Department.

SIR,

O.S. No.504/34-35 on the file of the Sub Court, Kumpta,
for possession of certain properties of the Sri Sringeri Mutt
at
Gokarna.

With reference to your letter No.P.1172/Law 115-38 dated 24-8-39
re. the above, I have the honor to state that in spite of reminders
issued, the further report called for from the Deputy Commissioner,
Kadur District, in the matter has not yet been received. The Deputy
Commissioner has again, been requested to-day to expedite submission
of the same. Immediately on its receipt in this Office, a further
communication will be sent to you in the matter.

Ed for perusal.

Further Communication will
be awaited.

3
4/9/39.

I have the honor to be,

Sir,

Your most obedient servant,

Muzrai

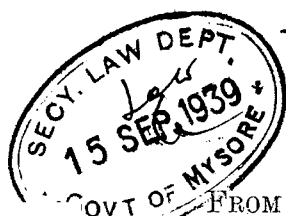
Muzrai Commissioner.

42

I. C. 18]

No.

C.1364/35-36
2-1/11/39



OFFICE OF THE MUZRAI COMMISSIONER
IN MYSORE

Bangalore, 13th September 1939.

Law 115-38

S. ABDUL WAJID, Esq., B.A.,

~~XXXXXXXXXXXXXXXXXXXXXXX~~

Muzrai Commissioner in Mysore.

To

C. Subrahmanya Aiyar, Esq., B.A., B.L.,

Secretary to the Government of His Highness
the Maharaja of Mysore,

Law Department.

SIR,

O.S.No.504/34-35 on the file of the Sub Court, Kumpta,
for possession of certain properties
belonging to the
Sri Sringeri Mutt at Gokarna.

In continuation of this Office letter No.C.1364/35-36 dated 28th August 1939 re. the above, I have the honor to forward herewith a copy of letter No.S2-1347/36-37 dated 31st August 1939 together with those of its enclosures, received from the Deputy Commissioner, Kadur District, and to state that in the circumstances explained by the Officer in Charge of Sringeri Jahagir, the advance of Rs 25 paid by him to the lawyer, Mr. G. G. Sastri, B.A., LL.B., for obtaining certified copies of certain documents required for filing the execution application for possession of certain properties in respect of the decree in favour of the Mutt ('B' Scheduled Properties), has been approved by me.

The Deputy Commissioner has been requested to obtain and furnish the details of the 'B' Scheduled Properties etc., and also to intimate the further progress made in the appeal case along with a statement showing clearly, the details of expenditure incurred so far in the case.

I have the honor to be,
Sir,
Your most obedient servant,

S. Abdul Wajid

Muzrai Commissioner.

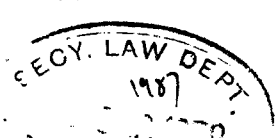
23)

Submitted for perusal

As Secy

3/2/91

26/9/39



For C
21-9-39

Letter No.S2-1347/36 dated 11-4-40 from the Deputy Commissioner, and the Muzrai Commissioner in Mysore.

Obtaining certain properties of Sri Sringeri Mutt situated at Gokarna
(O.S.504/34-35 in the Sub Court at Purnpta.)

Adverting to your Memo No.C.1364/35-36 dated 13-9-1939 on the above subsequent reminder thereon, I have the honor to enclose herewith a copy report No.H.C.88/38-39 dated 1-4-1940 together with its enclosures received from the Officer in Charge, Sringeri, for favour of information.

I have asked the Officer in Charge to obtain early the further progress report in the matter from the Vakil and to submit early. On hearing from further communication will be submitted in the matter.

"Copy"

M. N. Daini

For Muzrai Commissioner

OFFICE OF THE SRI SRINGERI MUTT & JAHGIR,

1st April, 40.
Sringeri, Dated _____ 19

M. GUNDAPPA, Esq., B. A
OFFICER-IN-CHARGE,
SRI SRINGERI MUTT & JAHGIR,
SRINGERI.

To

The Deputy Commissioner,
Kadur District,
Chikmagalur.

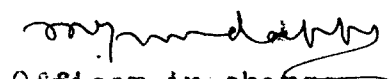
Sir,

In continuation of this Office D.O. Letter No.H.C.68/38-39 dated 26-3-40 re: the progress of appeal filed in the District Court at Karawar on the decree in O.S.504/34-35 in the Sub Court at Kumta, I have the honour to enclose herewith in duplicate, the copy of the letter with its enclosure received from the Vakil at Karawar, stating that cross objections have been filed by the respondents and also that the date of hearing would be intimated in due course. On hearing from the Vakil, ~~for~~ further progress, a report will be submitted. I am taking action to have the work completed.

I have the honour to be,

Sir,

Your most obedient servant,


Officer-in-charge,
Sri Sringeri Mutt & Jahgir

" C o p y "


Deputy Commissioner,

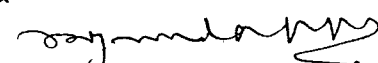
Kadur District.

Letter dated 28th Mar. 40 from Mr. K.R. Maladipurkar,
Vakil, Karwar, N. Canara to the Officer-in-charge, Sringeri
Jahgir, Sringeri.

I have been asked by Mr. Shastri, Pleader of Kunta to acquaint you with the progress of the appeal filed on behalf of the Mutt against Ganapat Ramachandra Shastri and others. The appeal was duly admitted and after notices of the appeal were served on the main contending respdts. some ~~xxx~~ of them have appeared through two pleaders Messrs. V.S. Gokern and G.G. Shejekan and cross-objections were thereafter filed on behalf of respdts., 1,3,5,6 and 8. By virtue of those cross-objections they virtually called into question the whole of the decree so far as it was granted to the Mutt by the Lower Court, and it would have meant that by virtue of our appeal and their cross-objections the whole of the suit in the lower Court was reopened. However they had to pay the Court fees on the cross-objections filed by them, and not having been able to do that fully within the time allowed, they have subsequently limited the cross-objections only to the question of suit building in which the ---- Sharadamba deity is installed and the image of that deity. I send you herewith for your information the copy of the cross-objections as they were originally filed and served on me. However, in view of their being subsequently limited to the above-stated one relief only, we have to take that the cross-objections survive in respect of grounds Nos. 1 to 6 only. The other cross-objections have practically been given up as no Court fees have been paid thereon.

I had asked your man when he was personally here to arrange to send me from Mr. Shastri, Pleader, the book in which I was told the copies had been taken out and retained of all the various documents produced in the case on behalf of the Mutt. However I have not yet been able to receive the book. If you will kindly arrange for the book being received by me as early as possible I shall be ~~xxx~~ thankful^{ful} as it will enable me to go through and study the record during the ensuing summer vacation which commences from April 22nd. The appeal will take some time before it comes up for hearing and I shall let you know about that in due course.

~ Copy ~


Officer in charge, Sringeri Jahgir

hri Chandrasekhar Bharathi Swami

---- Appellant

Vs.

1. Ganapat Ramachandra Shastri & others

--- Respondents

Claim Rs.720-15-3 for cross-objections.

Cross-objections filed on behalf of Rspdts. 1,3,5,6 and 8 :--

1. The ~~xxxxxx~~ decree of the Lower Court passed against Defts. 1 to 8 is contrary to Law and the evidence in the case.
2. It was wrongly held that portion of the suit building in which the Sheradaba Deity is installed and the image of that Deity belong to the Plff.
3. The Lower Court failed to see that Plff's exclusive title to them was not established.
4. The written statements of the defendants in this connection were not properly construed.
5. The Lower Court failed to see that in any case, the hereditary right of enjoyment of the said building and of the worship of the said Deity was established.
6. It erred in awarding possession of these items to the Plff.
7. It was wrongly held that property in Schedule B belonged to the P.
8. The Lower Court erred in thinking that Plff's ownership was, in effect, admitted by the Defts.
9. The documentary evidence on the record clearly showed that the land did not belong to the Plff.
10. The lands, if at all, belonged to the Shardamba Deity and the suit not having been filed on behalf of the Deity, the Plff's claim was unsustainable.
11. It was wrongly held that Plff had allotted these lands to the family of Defts. 1 to 8 for services of the image of Sharadamba.
12. The Lower Court was wrong in thinking that Defts 1 to 8 were not trustees of the Sharadamba Deity with regard to those lands.
13. It failed to see that the ~~xxx~~ suit was barred under section 92 of the Civil Procedure Code.
14. In any case, the Plff. was wrongly awarded possession in these lands.
15. The Lower Court having found against Plff. on Issue No.2 and the Defts 1 to 8 having been hereditary Archaks of the Sharadamba Deity, ~~it~~ was no longer open to the Court to deprive Defts. of their possession.
16. The lower Court's judgment on this question is inconsistent with the earlier part.
17. Under no circumstances, was the Plff entitled to possession of S.Nos.196 and 197 of Schedule B.
18. The conditions laid down in the documents relating thereto were wrongly disregarded.

Lower Court failed to see that the Plff was barred by th
estoppel.

was wrongly supposed that the Plff suit with regard to th
llowed by the Lower Court was not barred by adverse posses

was wrongly held that the family of Defts. 1 to 8 was loo
he Vahiwat of the lands in Schedule B on behalf of Plff.

was wrongly supposed that Ex.163 - a judgment of the High Court
did not favour the Defts.

was wrongly held that serials 1,9,11 to 13, one out of serial 14,
5 to 18 and serials 20 to 23 of Schedule C belonged to the Plff
nd that Plff was entitled to recover them from Defts 1 to 8.

he admission of Deft. No.6 in this connection was not properly
construed

25. These items, if at all, could only be claimed by the Deity in a
proper suit and not by the present Plff.

26. In any case, the value awarded to Plff for items in Schedule C is
too high.

27. The law bearing on the case was not properly considered.

28. Proper and necessary issues were not raised.

29. The order as to costs is wrong. In any case, Defts should have been
awarded their costs on the Plff's disallowed claim.

Note of valuation :

(1) The valuation for the building portion containing the Shardamba

G.S. No 504/34-35 on the file of the Subordinate Court, Kumbhta, for the possession of certain properties belonging to Sri Smaranga Mutt at Gokarna.

From the Muzrai Commissioner in Mysore Bangalore

Letter No. M₂-185/43-44 dated 13/5/44
stating that the Mutt was successful in the case, that M/s G.G. Sasthy of Kumbhta and Haladipurkar of Karwar who attended conducted the case at Kumbhta and Karwar respectively are claiming Rs. 150/- and Rs 100/- each as additional remuneration ^{in the above case} and praying for sanction of govt for the advance of Rs. 100/- made by Mr Venkatasubba Sasthy on behalf of the mutt to each of the above two lawyers and also praying for sanction of govt for engaging a competent lawyer to conduct the case ^{that has been filed by the respondents} in the High Court of Bombay.

6.S. No. 504/34-35 on the file of the subordinate
mutt, Kumpta for the possession of certain
properties belonging to Sri Singgar Mutt at Gokarna
Appeal preferred in Karwar District Court
against the judgment of the District
Judge at Karwar in the above case

Submitted

24) The letter No C.1364/35-36 dated 3/8/
referred to in the P. U. D. does not app
have been received in this office

25) It is reported that the appeal
filed by the Mutt in the District
court at Karwar against the
judgment of the subordinate Judge
Kumpta in the above case has
been decided in favour of the
mutt and that the respondents
have appealed to the High Court of

7136 of 1939 $\sqrt{6580}$ of 42.
P Law

O.S. No. 504 36-35 on the file of the
Subordinate Court Kumpta for the
possession of certain properties, belonging
to Sri Sringeri Mutt at Gokarna -
Appeal preferred in Karwar District
Court -

approval of the action taken by
officer in charge, Sringeri in having
paid the remuneration of Rs. 100/- to
each of the two mutt lawyers viz.
Messrs C.G. Sastri and K.R. Halad
porkar ~~and~~ who conducted the
above case at Kumpta and Karwa
respectively (vide para 1 of the
copy of letter No. 145 dated 25/3/36
from the officer in charge of Sringeri M
and ^{para 2 of} letter No. 1364/35-36 dated
5/5/39 from the Muzai Commissioner

For engaging a competent lawyer
to conduct the case in the High
Court of Bombay

submitted for orders

is for order as to whether the purpose
of the Mut. Com^y to engage a lawyer
at Bombay for conducting the appeal
the High Court of Bombay may

be sanctioned

9) The approval of Govt ~~may be~~

~~sanctioned for the~~
action taken by the Officer in charge
the Singari Mutt in having paid the

Attorney at Law for the
lawyer may also be communicated

1st Mut. Com^y.

30) A. may be sanctioned

31) B. may be approved

G.S. No. 204/^{2nd} 34-35 on the file of the
 Subordinate Court at Kumbhla, for the
 possession of some properties belonging to
 Sri Srinagar Mutt at Gokarna — Appr
prepared in Kanwar District Court

34) Drafts of two g.o's as ordered
 in papers 32 and 33 of the notes
 are put up for approval

2. A draft of a g.o. Sanctions is subd:

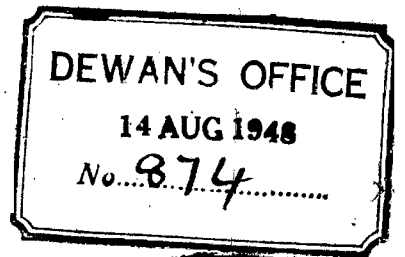
Subordinate Judge at Kumbhta for
the possession of certain properties belong
to Sringeri Mutt at Gokarna. At
Kumbhta District Court

4 of 1934-35, on the 16th the subordinate
Kumbla - Second appeal pending before
Court of Bombay

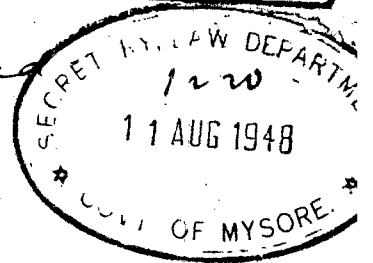
Law 115-38

65805819

mitted with a draft of a G.O. also
approval of other orders



42) may be approved



for 11/8

Dewan) APR 15/8 43) 8u 14/8
8u 16/8 for 14/8

45) 9/8 for 16/8

G.O. No. 2103 - u / Law of 26.8.48

To. 1) on this comm
2) on comm to Govt.

Sanctions to - approval of the Officer in charge
to pay a Rs 2 as cost - to Padman.
an account of his fees and expenses
in 5th before the High Court 2

12.64/35-36

els-2

5384

OFFICE OF THE MUZRAI COMMISSIONER
IN MYSORE,

Bangalore, 15th March 1937.

FROM

K. V. ANANTARAMAN, Esq., B.A.,

Muzrai Commissioner in Mysore.

TO

V. Vedavyasacharya, Esq., B.A.,

Secretary to the Government of His Highness

the Maharaja of Mysore,

General Department.

GENERAL SECRETARY.
16 MAR 1937

SIR,

16/3

Civil Suit No.504/34 on the file of the Sub Court
at Kumpta for possession of certain properties
at Gokarna belonging to the Sri Sringeri
Mutt.

With reference to correspondence ending with your letter No.
P.4889 dated 9th February 1937 re. the above, I have the honor to
forward herewith for information, a copy of letter No.S2-1347-36
dated 10th March 1937 together with a copy of its enclosure from the
Deputy Commissioner, Kadur District, intimating the present stage of the
case.

I have the honor to be,

Sir,

Your most obedient servant,

M. N. Anandahar.

Assistant Commissioner
For Muzrai Commissioner.
(Absent from headquarters)

Letter No.S2-1347-36 dated 10-3-37 from the Deputy Commissioner, Kadur District, to the Muzrai Commissioner in Mysore.

Civil Suit No.504/34 on the file of the Sub Court at Kumpta,,
for possession of certain properties at Gokarna
belonging to Sri Sringeri Mutt.

With reference to your No.C.1364/35-36 dated 12-2-1937 on the above subject, I have the honor to forward herewith for favour of information a copy of letter No.303/Dist. dated 5-3-1937 from the Officer-in-Charge Sringeri, and to state that it is reported the examination of witnesses has not begun yet.

"C O P Y"

M. N. Anantham

For Muzrai Commissioner

Q/

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No. 94889

Bangalore, Dated, 8th February 1937.

9

From

The General Secretary to the Government of His Highness the Maharaja of Mysore.

To

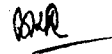
The Muzrai Commissioner

in Mysore, Bangalore.

Sir, Civil Suit No. 504/34 on the file of the Sub-Court at Kumpta for possession of certain properties at Gokarna belonging to Sri Sringeri Matha.

With reference to your letter No.1364/35-36 dated 14th November 1937 stating that the above case stands adjourned to 14-12-1936 for examination of defendants, I am directed to enquire about the further progress made in the case.

I have the honour to be,
Sir,
Your most obedient servant,



For General Secretary to Government



TSS.

SUBJECT.....

Section *Law*

File No.

Serial No.

Diary No. of letter replied to.....

No. *P4889*

To

General and Revenue Secretariat

()
the 193

Date of issue.....

9.2.37

Signed by

*Mr. BKR**The Muzr Commr**Civil Suit no. 504/34 on the
file of the Sub-Court at Kumbha
for possession of certain property
at Gokarna belonging to
Sri Sringeri Math**Sir,**With reference to
your letter no. 1364/35-36,
dated 14-11-37 stating that
the above case stands adjourned
to 14-12-36 for examination
of dependant, I am directed
to enquire about the ^{further} progress
made in the case.**I have etc,*

No. C.1364/35-36

Encls: 2

OFFICE OF THE MUZRAI COMMISSIONER
IN MYSORE,

Bangalore, 20th April 1937

22

FROM

K. V. ANANTARAMAN, Esq., B.A.,

Muzrai Commissioner in Mysore.

TO

M. Venkatesa Iyengar, Esq., M.A.,

*Secretary to the Government of His Highness
the Maharaja of Mysore,*

General Department.

GENERAL SECRETARY
23 APR. 1937

SIR,

Subject: C.S. No.504/34 on the file of the
Sub Court at Kumpta.

In continuation of this office letter C.No.1364/35-36 dated 15th March 1937 regarding the above, I have the honor to forward herewith a copy of letter No.S2.1347-36 dated 6th - April 1937 together with a copy of its enclosure from the Deputy Commissioner, Kadur District, reporting the progress in the conduct of the suit and to state that the additional expenditure of Rs.40/- has been sanctioned ~~and~~ by me from the source pointed out by the Officer-in-Charge.

I have the honour to be,

Sir,

Your most obedient servant,

K. V. Anantaraman
Muzrai Commissioner.

Letter No.S2.1347-36 dated 6th April 1937 from the Deputy Commissioner, Kadur District, to the Muzrai Commissioner in Mysore, Bangalore.

Subject:- Civil Suit No.504/34 on the file of the Sub Court at Kumpta for possession of certain properties at Gokarna belonging to Sri Sringeri Mutt:-
Expenditure.

In continuation of this office letter of even No. dated 8-3-37 on the above subject, I have the honour to forward herewith for favour of information, a copy of letter No.324/Dist. dated 5.3-1937 from the Officer in charge of Sringeri and to state that for reasons contained in the letter of the Officer in charge he may be permitted to pay the sum of Rs.40/- to the Mutt Lawyer, out of closing balance.

" Copy."

W. N. Shankar -

For Muzrai Commissioner

W

Letter No.324/Dist. dated 25th March 1937 from the Officer in charge, Sringeri Jahgir, Sringeri, to the Deputy Commissioner, Kadur District, Chikmagalur.

In continuation of this office No.303 Dt. dated 5-3-1937 re. Civil Suit No.504/34 on the file Sub Court at Kumta for possession of certain properties at Gokarna belonging to Sri Sringeri Mutt, I have the honour to state that the Mutt lawyer Mr. G.G.Sastry intimates in his letter dated the 18th instant that the 10th defendant in the suit died some days back and that the case could not be proceeded with on the last date of hearing, viz., 18-3-1937. He further states that it is necessary to bring the heirs of the deceased defendant on record and that on this account, an application has to be filed and fresh summons taken out to the legal representatives, for which purpose he requires a further sum of Rs.40/-. As the budget allotment under Law-charges has already been exhausted, I request permission to pay the amount out of the closing balance.

This is a costly litigation which the Mutt has entered into but

at this stage there is no other go except to proceed with it and to incur expenditure required therefor.

" Copy."

M. N. Chaudhary

For Muzrai Commissioner.
Mh

SUBJECT

Section *Law*File No. *184-35*

Serial No. —

Diary No. of letter replied to

No. *P6361.*

To

M. C. Mug Commr

General and Revenue Secretariat

()

the 193

*O. S. No 504/34 on the file of
the Sub-Court at Kumbha*

Sir,

Date of issue.....*7.5.37*Signed by.....*Mr. BKR*

*With reference to your
letter no. C 1364/35-36, dated
20th April 1937 in re. the
above, I am directed to
convey the approval of Govt
for the action taken by you in
in the for having sanctioned
a sum of Rs 40/- in
connection with the above case.
I have etc.*

List of enclosures.....

Copied by.....*by 7/11*

Examined by.....

*BKR**For Genl Sec
B*

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Bangalore, Dated, 1st March 1938.
2nd

No. 14964
Rec 3

From

The

General Secretary to the Government of His Highness the Maharaja of Mysore.

To

The Muzrai Commissioner in Mysore,
Bangalore.

Sir,

Subject:-- O.S. No.504/34-35 on the file of the Sub Court at Kumpta for possession of certain properties belonging to Sri Sringeri Mutt at Gokarna.

With reference to your letter No. 1364/35-36, dated 7th February 1938 in regard to the above, I am directed to return herewith as desired the enclosures sent with your letter under reference.

I have the honor to be,
Sir,
Your most obedient servant,


for General Secretary to Government.

SUBJECT

.....

.....

Section Law
File No.
Serial No.

Diary No. of letter replied to.....

No. P4964/Euc 3

To The Mag. Commr

General and Revenue Secretariat
()
the 193

O. S. no 504/34-35 on the file
of the Sub-Court at Kumbha,
for possession of certain
properties belonging to Sri
Sringeri Mutt at Gokarna.

Date of issue.....2.3.38.....

Sir,

Signed by Mr. MCR.....

With reference to your
letter no 1364/35-36, dated
7th Feb: '38 in regard to the
above, I am directed to
return herewith as desired
the enclosures sent with your
letter under reference.

List of enclosures.....

I have etc.

Copied by

MCR
For Genl Secy,

Examined by.....

30/1/38

SUBJECT

Section *Law*

File No.

Serial No.

Diary No. of letter replied to.....

No. *12960*

To

The Muz Commr

General and Revenue Secretariat

()
the 193

Date of issue.....

12/12/38

Signed by

Mr. BKR

Subject: *O. S. 504/34-35 on the*
file of the Sub-Court at Kumpt
for possession of certain shops
properties belonging to Sri Sing
Mutt.

Sir,

With reference to your
letter no. 1364/35-36, dated 7-2
in regard to the above case
I am directed to enquire ^{as to} the
matter stands at present

I have etc.

List of enclosures.....

Copied by

*12/12/38**BKR**For Addl. Secy*
[Signature]

Examined by.....

SUBJECT.....
.....
.....

Section Law
File No.
Serial No.

Diary No. of letter replied to

General and Revenue Secretariat
()
the 193

Date of issue..... 20/2/39

Signed by..... Mr. BKR

List of enclosures.....

Copied by..... *[Signature]*

Examined by.....

No. P4459
To The Muz. Commr.
Subject:- O.S. No. 504/34-35 on
file of the Sub-Court at Kumpth
for possession of certain property
belonging to Sri Sringeri Math
Gokarna
Sir,

With reference to the
correspondence ending with your
letter no. C 1364/35-36, dated
17th Dec 1938 on the above subject
I am directed to enquire as
when your report ^{regarding} of further
progress in the matter may be
expected.

I have etc,
BKR
Jr. Addl Secy,
[Signature]

SUBJECT

.....

.....

Section Law

File No.

Serial No.

Diary No. of letter replied to.....

No. P 790

To

The Mag. com

General and Revenue Secretariat

()

the 193

O. S. No. 504/34 on the file of the

Sub-Court at Kempt

Sir

Date of issue..... 9.8.37

In continuation of this

office letter no. P 6361, dated

7-5-37 in regard to the

Signed by Mr. BKR.

above, I am directed to

enquire about the progress made

the case

I have etc,

Mark

For Genl Secy

R

1364 En 22
35-36

1662-237
P 837

OFFICE OF THE MUZRAI COMMISSIONER IN MYSORE,

Bangalore, ...10th...September.....1937.

FROM

K. V. ANANTARAMAN, Esq., B.A.,
*Muzrai Commissioner in Mysore,
Bangalore.*

GENERAL SECRETARY
13 SEP. 1937
Pm
Muzrai
BMR

M. Venkatesa Iyengar, Esq., M.A.,
*Secretary to Government of His Highness
the Maharaja of Mysore,*
...General.....Department,

SIR,

O.S.No.504/34 on the file of the Sub Court
at Kumpta.

With reference to your letter No.P.790 dated 9-8-1937 enquiring about the progress made in the above case, I have the honor to forward herewith a copy of letter No.S2-1347/36 dated 5-9-1937 together with a copy of its enclosure, received from the Deputy Commissioner, Kadur District, for information.

Submitted for perusal

I have the honor to be,
Sir,
Your most obedient servant,

17/9

BMR
17.9

Sm c
17-9-37

K. Anantaraman
Muzrai Commissioner.

Proven 2
12.12.37

Letter No.S2-1347/36 dated 5-9-37 from the Deputy Commissioner, Kadur District, to the Muzrai Commissioner in Mysore.

Subject:- Re. O.S.No.504/34 on the file of the Sub Judge at Kumpta - progress of.

With reference to your letter No.1364/35-36 dated 23-8-37 regarding the above, I have the honor to forward herewithm for favour of information, a copy of letter No.1148 dated 28th August 1937, received from the Officer-in-Charge of Sringeri Jahagir, in the matter.

"Copy"

M. N. Shankar

For Muzrai Commissioner.

14

Letter No.1148 dated 29-8-37 from the Officer-in-Charge of Sringeri ahagir, Sringeri, to the Deputy Commissioner, Kadur District.

With reference to your Memo No.S2-1347/36 dated 27-8-1937 calling for a report regarding the stage of pendency of O.S.No.504/34 on the file of the Sub Court at Kumpta, I have the honor to state that the case was posted to 19-8-1937 for the return of summons to the heirs of the 10th defendant (deceased) and no information has been received from the Lawyer, as to the progress of the case on the above date. He has been written to this day; and on receipt of his reply, further report will be submitted.

"COPY"

M N Ananth Kumar.

For Muzrai Commissioner.

W

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated, Bangalore, 11th December 1938.

No. 12960

From Additional
The ~~Chief~~ Secretary to the Government of His Highness the Maharaja of Mysore,

To
The Muzrai Commissioner in Mysore,
Bangalore.

Sir, Subject. - O.S. 504/34-35 on the file of the Sub
Court at Kumpta for possession of certain properties
belonging to Sri Sringeri Mutt.

With reference to your letter No. 1364/35-36 dated
7th February 1938 in regard to the above case, I am directed
to enquire as to how the matter stands at present.

I have the honor to be,
Sir,
Your most obedient servant,



For Additional Secretary to
Government.



3875 of
P

OFFICE OF THE MUZRAI COMMISSIONER
IN MYSORE,

Bangalore, 24th December 1937.

29.

K. V. ANANTARAMAN, Esq., B.A.,

Muzrai Commissioner in Mysore,

Bangalore.

To

M. Venkatesa Iyengar, Esqr., M.A.,

General Secretary to the Government of Mysore,
BANGALORE.

SIR,

O.S.No.504/34-35 on the file of the Sub Court
at Kumpta.

In continuation of my letter No.C.1364/35-36 dated 11-9-1937 re. the above, I have the honour to forward herewith for information of Government a copy of letter No.S2-1347/36 dated 10-12-1937 together with the enclosures received from the Deputy Commissioner, Kadur District, reporting the progress in the conduct of the suit and to state that I have approved of the action taken by the Deputy Commissioner in permitting the Officer in Charge of Sringeri Jahagir to go to Kumpta in connection with the case adjourned to the 10th inst.

The enclosures sent in original may be kindly returned when done with.

Submitted for perusal

10MR
3.1.38

I have the honour to be,

Sir,

Your most obedient servant,


Muzrai Commissioner.

Letter No.S2-1347/36 dated 10th December 1937 from the
Deputy Commissioner, Kadur District, to the Muzrai
Commissioner in Mysore, Bangalore.

Original Suit No.504/34-35 on the file of the
Sub Court at Kumpta - progress of.

In continuation of my letter No.S2.1347/36 dated 18-9-1937 on the
above subject, I have the honour to forward herewith a copy of letter
No.256/ Ist.37-38 dated 5th December 1937 ~~with~~ together with its enclo-
sures received from the Officer-in-Charge, Sringeri Jahagir, stating that
the case has been adjourned to the 10th instant, that his presence is
absolutely necessary on that date at Kumpta and soliciting permission
to go to Kumpta on the 8th instant and return to Head quarters on or
about the 12th instant.

In the circumstances reported by him. I have permitted him to go
to Kumpta and request that my action may kindly be approved.

"Copy"

M. N. Ananthan

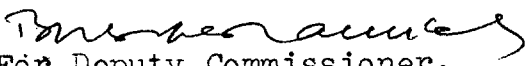
For Muzrai Commissioner.

W

Letter No.256/Dist.37-38, dated 5th December 1937, from the Officer in-Charge, Sringeri Jahgir, Sringeri, to the Deputy Commissioner, Kadur District, Chikmagalur.

In continuation of this Office letter No.110 Dt. dated 11-9-3 reporting the progress of the possession case No.O.S.504/34 on the file the Sub-Court at Kumta which had been posted to 3-12-37, I have the honour to forward herewith copy of letter dated 3-12-37 from Mr. G Sastry, Pleader, on behalf of the Mutt stating that the ^{to} case has been adjourned/the 10th instant and that my presence on the next date of hearing is absolutely necessary and that I should not fail to be there on that date as no further adjournment is likely to be granted. In view of the letter of the advocate, I request permission to go to Kumta on the 8th instant and return to Head Quarters by about the 12th instan

"C O P Y"


For Deputy Commissioner,

Letter dated 3-12-37 from Mr. G.G.Sastry, B.A., LL.B., Pleader, Kumta, to the Officer-in-Charge, Sringeri Mutt.

Mr. Puttasami Joshi was sent here only for a day. But the mutt case when once commenced will take at least a week if not more for the conclusion of the hearing. The case is not also adjourned in the middle for any reason after it has ~~be~~ once commenced. I had therefore to take a week's time for the beginning ~~of~~ of the case as Mr. Puttasama Joshi told me that he could not stay ~~there~~ more than a day or two. The hearing of the case will positively commence on the 10th instant and will continue from day-to-day for a week or so, until it is finished. On no account will the case be adjourned after the 10th. The nature of the case will be clear from the copy of the issues sent herewith. We shall have to lead evidence on all the points covered by the issues. Though our case mainly stands on documents, the bearing of the several documents on the respective issues will have to be explained in a - statement on oath on our behalf. If Mr. Puttasama Joshi deposes only about the proper custody of the documents, it will not be enough. The various points asserted in the plaint and involved in the issues will again have to be asserted on oath on behalf of the Mutt. You being the plaintiff, you are the proper person to depose about them, no - matter if you have no personal knowledge about the ancient documents. I feel your presence here quite necessary until the case is finished. The deposition of Puttasama Joshi will be mainly about proper custody of documents while your statement will be about the several assertions made in the plaint. I therefore request you to kindly spare a week for staying here in connection with this case and to arrive here on the 9th only. The case will not be adjourned after the 10th for any reason and will commence definitely on that day. More in person.

"C O P Y"


For Deputy Commissioner,
Kadur District.


387SV 4707 13
P 13

No. 1364/35-36

encls. 4

OFFICE OF THE MUZRAI COMMISSIONER
IN MYSORE,

Bangalore, 7th February..... 1938

FROM

K. V. ANANTARAMAN, Esq., B.A.,
~~The~~ Muzrai Commissioner in Mysore.

TO

M. Venkatesa Iyengar, Esq., M.A.,
General Secretary to the Government of Mysore,
BANGALORE.

SIR,

GENERAL SECRETARY
9 FEB. 1938

O.S.504/34-35 on the file of the Sub Court
at Kumbhta, for possession of certain
properties belonging to
Sri Sringeri Putt
at
Gokarna.

5'343
14/2

In continuation of my letter No. 1364/35-36 dated 29-12-1937 re. the above, I have the honor to forward herewith, for information of Government, copies of letters No. S2-1347/36-37 dated 18th January 1938 and 26th January 1938 together with the enclosures, received from the Deputy Commissioner, Madur District, reporting the progress of the case; and to state that, as recommended by the Deputy Commissioner, in the circumstances reported, I have approved of the action taken by the Officer-in-Charge, Sringeri Jahaair, in informing the Putt's Lawyer that if the defendants are not prepared to revise the terms of the compromise suggested, he may go on with the case and leave the matter to be decided by the Court.

The enclosures received from the Deputy Commissioner, and sent herewith, in original, may be kindly returned when done with.

Submitted for perusal.

GENERAL SECRETARY
11 FEB. 1938

I have the honor to be,
Sir,
Your most obedient servant,

M. N. Anasahur

for Muzrai Commissioner.
(Absent from Hq. Quarters)

Gen. Secy) and 11/2

12/2

File in Member

A dft returning record
in put up.

13/2 and 14/2

15/2 16/2 17/2 18/2 19/2 20/2 21/2 22/2 23/2 24/2 25/2 26/2 27/2 28/2 29/2 30/2 31/2 1/3 2/3 3/3 4/3 5/3 6/3 7/3 8/3 9/3 10/3 11/3 12/3 13/3 14/3 15/3 16/3 17/3 18/3 19/3 20/3 21/3 22/3 23/3 24/3 25/3 26/3 27/3 28/3 29/3 30/3 31/3 1/4 2/4 3/4 4/4 5/4 6/4 7/4 8/4 9/4 10/4 11/4 12/4 13/4 14/4 15/4 16/4 17/4 18/4 19/4 20/4 21/4 22/4 23/4 24/4 25/4 26/4 27/4 28/4 29/4 30/4 31/4 1/5 2/5 3/5 4/5 5/5 6/5 7/5 8/5 9/5 10/5 11/5 12/5 13/5 14/5 15/5 16/5 17/5 18/5 19/5 20/5 21/5 22/5 23/5 24/5 25/5 26/5 27/5 28/5 29/5 30/5 31/5 1/6 2/6 3/6 4/6 5/6 6/6 7/6 8/6 9/6 10/6 11/6 12/6 13/6 14/6 15/6 16/6 17/6 18/6 19/6 20/6 21/6 22/6 23/6 24/6 25/6 26/6 27/6 28/6 29/6 30/6 31/6 1/7 2/7 3/7 4/7 5/7 6/7 7/7 8/7 9/7 10/7 11/7 12/7 13/7 14/7 15/7 16/7 17/7 18/7 19/7 20/7 21/7 22/7 23/7 24/7 25/7 26/7 27/7 28/7 29/7 30/7 31/7 1/8 2/8 3/8 4/8 5/8 6/8 7/8 8/8 9/8 10/8 11/8 12/8 13/8 14/8 15/8 16/8 17/8 18/8 19/8 20/8 21/8 22/8 23/8 24/8 25/8 26/8 27/8 28/8 29/8 30/8 31/8 1/9 2/9 3/9 4/9 5/9 6/9 7/9 8/9 9/9 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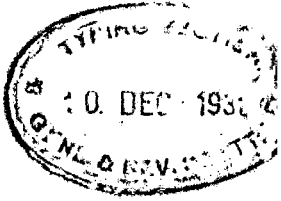
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Time

OKR

10.12

attached: No P 2960. 2, 12-12-38



Sig A
12-12-38

Letter No.S2-1347/36-37 dated 18-1-38 from the Deputy Commissioner, Madur District, to the Muzrai Commissioner in Mysore.

Original Suit No.504/34-35 on the file of the Sub Court at Mumpeta - Progress of.

In continuation of my letter No.S2-1347/36-37 dated 11th December 1937, on the above subject, I have the honor to forward herewith copy of letter No.292/Dist.37-38 dated the 9th January 1938, stating that case was taken up on the 11th ultimo; that the lawyer for the defendants submitted to the Court that time may be granted, as their client wanted to effect a compromise and that time was accordingly granted postponing the case to the 29th instant to file the compromise application.

Letter No.S2-1347/36-37 dated 28th January 1938 from the Deputy Commissioner, Madur District, to the Muzrai Commissioner in Mysore.

O.S.504/34 on the file of the Sub Court at Mumpeta.

In continuation of my letter No.S2-1347/36-37 dated 18th January 1938, on the above subject, I have the honor to forward herewith copy of letter No.C.2/Dist. dated 20th January 1938 together with its enclosure, received from the Officer-in-Charge, Sringeri Jagir, stating that the terms proposed by the defendant do not, in any way, improve the position of the Mutt and the object with which the suit was filed will not be achieved. He has, further, stated that he has instructed the Mutt's Lawyer, that if the defendants ~~are~~ ^{are} not prepared to revise the terms, he may go on with the case and leave the matter to be decided by the Court.

Under the circumstances explained by the Officer-in-Charge, I request that the action taken by the Officer-in-Charge may kindly be approved.

"COPIES"

M. N. Anantham.

For Muzrai Commissioner.

94

M. C. 18]

No.

C/1364/35-36

4141
P



37 V D38
OFFICE OF THE MUZRAI COMMISSIONER
IN MYSORE,

Bangalore, 17th December 1938

FROM

S. ABDUL WAJID, Esq., B.A.,

~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~

Muzrai Commissioner in Mysore.

TO

C. Subrahmanya Aiyar, Esq., B.A., B.L.,

Additional Secretary to the Government of His Highness
the Maharaja of Mysore,

Bangalore. ~~XXXXXXXXXXXX~~

SIR,

O.S. No.504/34-35 on the file of the Sub Court
at Kumpta, for possession of certain pro-
perties belonging to Sri Sringeri
Mutt at Gokarna.

With reference to your letter No.P.2960 dated 12-12-1938 re. the
above, and in continuation of my letter No.C.1364/35-36 dated 8-2-38
I have the honor to state that it is reported by the Deputy Commis-
sioner, Kadur District, in his letter No.S2-1347/36-37 dated 15-10-1938
that the case is proceeding in the Court as ^{the} defendants were not prepar-
ed to revise the terms of the compromise and that the case had been
posted for arguments on 7-11-1938. A sum of Rs 50 has been advanced
by the Officer-in-Charge of Sringeri Jahagir, to the Mutt's Vakil, to-
wards the expenditure incurred by him in the case, pending adjustment
after the receipt of the final accounts from him and the action taken
by him has been approved by me, as recommended by the Deputy Commis-
sioner, in his letter dated 5-12-1938, and a report of further pro-
gress made in the conduct of the suit has been called for. On receipt
of a report from the Deputy Commissioner, a further communication will
be made.

I have the honor to be,
Sir,
Your most obedient servant,

S. Abdul Wajid
Muzrai Commissioner.

*info for perusal. Report
2 further progress will be awaited.*

*18/12
21.12*

A draft reminder is put up

95me

18/12

Sir A

21-2-39

No P 4457 of 20-2-39

M. C. 18]

No. *C 1364/35-36*

OFFICE OF THE MUZRAI COMMISSIONER
IN MYSORE,

See 10/2/39 & 4/3/39

Bangalore, 22nd February 1939

FROM

S. ABDUL WAJID, Esq., B.A.,

~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~

Muzrai Commissioner in Mysore.



To

C. Subrahmanya Aiyar, Esq., B.A., B.L.

Additional Secretary to the Government of His Highness

the Maharaja of Mysore,

Department.

SIR,

O.S. No.504/34-35 on the file of the Sub-Court at
Kumpta for possession of certain properties
belonging to Sri Sringeri Mutt at
G o k a r n a

1) With reference to your letter No. P 4459 dated 20-2-39 regarding the above, I have the honor to forward herewith for information of Government a copy of letter NO. ~~S.L.~~ 1347/36-37 dated 21-2-39 together with its enclosures received from the Deputy Commissioner Kadur District, reporting that orders were passed by the Subordinate Judge, Kumpta on 9-2-39 in the above case favourably to the Mutt so far as Saradamba Temple and its endowments and moveables are concerned and that the ownership of S.No.636 and the buildings standing thereon has been held not proved, in respect of which an appeal may with advantage be preferred against the order passed. The Deputy Commissioner has promised to submit a further report in the matter of filing an appeal after receipt of a certified copy of judgement and records relating to the case.

2) Prior to the receipt of the Deputy Commissioner's letter, it was learnt from Guruseva Pravina Mr. Srikanta Sastry, that the decision of the court in the case has gone against the Mutt and that an Appeal has to be filed before the 9th March 1939 and so the Deputy Commissioner Kadur District has in this office letter No.C 1364/35-36 dated 20-2-39 been requested to file an appeal

appeal immediately and send a detailed report of action taken.

3) On receipt of a further report from the Deputy Commissioner
I shall submit another report to Government in the matter.

I have the honor to be,

Sir,

Your most obedient servant.

M. N. Anandharam

Assistant Commissioner
For Muzrai Commissioner.
(Absent from Head Quarters)

Subd for perusal. The
promised further report
will be awaited.

BK/R

24/2

Sub B
24-2-29

Letter No.S.2-1347/36-38 dated 21st February 1939, from the Deputy Commissioner, Kadur District, to the Muzrai Commissioner in Mysore.

O.S.No.504/34-35 on the file of the Sub Court at Kumpta for possession of certain properties belonging to Sri Sringeri Mutt at Gokarna.

With reference to your letter dated 25th January 1939, on the above subject, I have the honour to forward herewith copy of letter No.H.C.38/38-39 dated 14th February 1939 together with its enclosures received from the Officer-in-charge, Sringeri Jaghir stating that the Mutt's Vakil at ^{Kumpta} ~~Hasik~~ has intimated him that orders were passed by the Subordinate Judge, Kumpta in the above case, favourably to the Mutt so far as Saradamba Temple and its endowments and moveables are concerned; that the ownership of S.No.636 and the buildings standing thereon has been held not to be proved; and that an appeal may with advantage be preferred against the order passed on the above point.

The Officer-in-charge, further reports that a certified copy of judgment has been called for; that on receipt the same will be submitted and that information about the decision of the case has been sent for the information of His Holiness.

I have called for the submission of the entire records together with a certified copy of judgment and that on receipt of records a further report will be made for obtaining the opinion of the Government Advocate and for filing an appeal against the order of the Subordinate Judge.

" C o p y "

u. n. Shanmugam.

For Muzrai Commissioner.
u.

Copy of letter No.88/38-39 dated 14th February 1939 from the Officer-in-Charge Sringeri Jahagir, Sringeri, to the Deputy Commissioner, Kādur District, Chickmagalur.

Subject:- O.S.No.504/34-35 ~~on~~ the file of the Sub Court at Kumta for possession of certain properties belonging to Sri Sringeri Mutt at Gokarna.

With reference to your Memo.No.S2-1347/36-37 dated 11-2-1939 forwarding copy of order from the Muzrai Commissioner in Mysore, calling for a report of further progress made in the above case, I have the honour to forward herewith copy of letter dated the 10th instant together with its enclosure, from Mr.G.G.Sastry, Vakil, Kumta, intimating that judgment was delivered in the above case on the 9th instant that while it is favourable to the Mutt so far as Saradamba Temple ~~and~~ its endowments and moveable properties are concerned, the ownership of S.No.636 and the ~~xx~~ buildings standing thereon have been held to be not proved and that an appeal may with advantage be preferred on the above point. The Lawyer has not sent a copy of judgment but has sent only an extract of the order. He has been asked to send a certified copy of judgment immediately. On receipt of which the same will be submitted. A copy of the Vakil's letter and its enclosure has also been sent for the information of His Holiness.

O R D E R .

Plff. do recover possession of that portion of the suit building in which Shree Sharadamba goddess is installed, the Sharadamba ~~at~~ deity therein, suit B Schedule property and serials 1,9,11 to 13, 1 out of serial 14, serials 15 to 18 and serials 20 to 23 of suit C schedule from Defts. 1 to 8. In case the possession of the said moveables out of suit C schedule is not given Plff. is at liberty to recover Rs.384/- as their price. Plff's suit as regards suit S. No. 636, other buildings thereon and the rest of the moveables out ~~at~~ of suit C Schedule properties is dismissed. Defts. 1 to 8 shall pay $\frac{1}{2}$ costs of this suit to the Plff. and bear their own.

" C O P Y "

Yonhacelaya
Officer in charge,
Smt. Jai Dabir

14/2/39

Dear Sir,

The Judgment in the Sringeri Case was delivered ~~xxx~~ yesterday. A copy of the order is kept herewith. The point of adverse possession which was the sheet anchor of the Defendant's case is decided in our favour. But over to ~~xxx~~ title to Survey No. 636 and the wings of the Mutt is held not proved! We shall have to appeal in connection with these, while the defendants will go in appeal for things awarded to us. It may kindly be noted that the period allowed for appeal is only one month from the date of the order. A certified copy of the Judgment will be required for the purpose. Please let me know by return of post whether I should apply for a copy. If you intend to appeal kindly send some person with the signature of His Holiness and yourself on a vakalat form. I shall prepare full instructions for the appeal and send them with your man to Karwar for filing the appeal or if necessary I shall even personally accompany him to Karwar and do the needful in the matter.

A ~~loophole~~ loophole is kept for the defendants in the Judgment for following the image for daily worship, by holding on issue No. 2 that it is not proved that defendants were appointed temporary archaks. We have no right of appeal on this finding as our suit is decreed inspite of this finding. It is repressly stated in the Judgment that the question of defendants' ancient ~~hereditary~~ hereditary right of Archakship is not going to be considered as this is not a suit for a declaration of such right. This point will therefore have to be thrashed out in a separate suit and the finding of the Court on issue No.2 that their ~~temporary~~ temporary appointment as such is not proved will not be res Judicata as we have no right of appeal against that finding. The effect of the present ~~xxx~~ Judgment will be that Defendants will have a right to perform Archakship and to enter the temple of Sharadamba only for that purpose even if we construct a new one at some other place. When our persons obstruct them in the performs of Archakship they will have to come to Court for proving and establishing their alleged hereditary ancient right

right of archakship. The view of this Court is that it is unnecessary to decide the question of their ancient hereditary right of archakship in this suit. Though we cannot appeal against this finding, the defendants will necessarily have to appeal against the order for possession on the basis of this finding and the question of their hereditary will automatically crop up for consideration in appeal, though this Court has refused to enter into that point. As soon as the notice of their appeal is served upon His Holiness and yourself you should send it to the appeal Court pleader with instructions to file a cross appeal on this point. According to my ~~previous~~ opinion this question can and is to be decided in this litigation only and the subtle --- distinction made by the lower Court between issue No.2 (appointment of temporary archaks) and defendants' alleged ancient hereditary right as such cannot hold water.

Though the order of the Court is not quite upto our satisfaction you know the exertions already put in by me for achieving this much success and the attempts I will have to make in future for crowning His Holiness with full success. I therefore request you to kindly recommend for sanctioning a reward of at least Rs.100/- for my exertions.

With best wishes,

I am,

Yours sincerely,

SD/- I X X

" C O P Y "

Yonk aulanya
Officer in charge.

14/2/39

Sunjay Jaleji

M. C. 18]

No.

C 1364/35-36

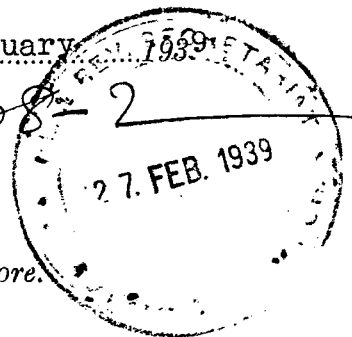
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27/2

OFFICE OF THE MUZRAI COMMISSIONER
IN MYSORE,

Bangalore, 25th February 1939

Law 115-38-2



FROM

S. ABDUL WAJID, Esq., B.A.,

~~XXXXXXXXXXXXXXXXXXXXXXX~~

Muzrai Commissioner in Mysore.

TO

C. Subrahmanya Aiyar, Esq., B.A., B.L.,

Additional Secretary to the Government of His Highness

the Maharaja of Mysore,

..... Law Department.

SIR,

O.S. No.504/34-35 on the file of the Sub Court,
Kumta, for possession of certain proper-
ties belonging to Sri Sringeri Mutt
at Gokarna.

In continuation of my letter of even No. dated 22-2-1939 re. the above, I have the honor to forward herewith, for information of Government, a copy of letter No.S2-1347/36-37 dated 24-2-1939 together with its enclosures, received from the Deputy Commissioner, Kadur District, reporting that the Officer-in-Charge of Sringeri Jahagir has remitted a sum of Rs 60 to the Mutt's Vakil for obtaining ^{copy of} the Judgment ~~copy~~ in the case and that a telegram has been issued to the Officer-in-Charge, on 22-2-1939, to file an appeal immediately. In the circumstances reported by the Deputy Commissioner, I have approved of the action taken by the Officer-in-Charge, in having remitted a sum of Rs 60 to the Mutt's Vakil, pending adjustment after the receipt of the details of expenditure incurred in the case. The Deputy Commissioner has been requested to report the fact of the appeal having been filed in time against the decision of the Court, in respect of the ownership of the S.No.636 and the buildings standing thereon etc. On receipt of a further report from the Deputy Commissioner, another communication will be made.

I request that the action taken by me may kindly be approved.

I have the honor to be,
Sir,

Your most obedient servant

M. V. Anandaram.

Assistant Commissioner

for Muzrai Commissioner.

(Absent from Headquarters)

Letter No.S2-1347/36-37 dated 24-2-39 from the Deputy Commissioner, Kadur District, to the Muzrai Commissioner in Mysore.

O.S.No.504/34-35 on the file of the Sub Court, Kumpta, for possession of certain properties belonging to the Sri Sringeri Mutt at Gokarna

In continuation of this office letter No.S2-1347/36-37 dated 21st February 1939 and with reference to your letter No.C.1364/35-36 dated 20th February 1939, I have the honor to forward copy of letter No.H.C.88/38-39 dated 18th February 1939 together with its enclosures received from the Officer-in-Charge, Sringeri Jahagir, requesting approval to his action for having remitted a sum of Rs 60 for obtaining the Judgment copy as required by the Mutt's Vakil and to request that under the circumstances explained in the above letter, the action taken by him may kindly be approved. A telegram has also been issued to him today (22-2-1939) to file an appeal immediately as instructed in your letter referred to above. A copy of the telegram is enclosed.

"Copy"

M. N. Ananthur.

For Muzrai Commissioner.

14.

Letter No.H.C.88/38-39 dated 18th February 1939 from the Officer in charge, Sringeri Jahagir, Sringeri, to the Deputy Commissioner, Kadur District, Chikmagalur.

In continuation of this office letter No.H.C.88/38-39 dated the 14th instant, re: case No.O.S.504/34-35 on the file of the Sub Court at Kumpta, I have the honour to enclose herewith copy of post card dated 15-2-1939 received from Mr. G.G.Sastry, Vakil, Kumpta, stating that a sum of Rs 50/- is required for obtaining a copy of judgment in the case. As the time for preferring the appeal is very short, I have remitted the amount required for obtaining the judgment copy and I request approval to the action taken.

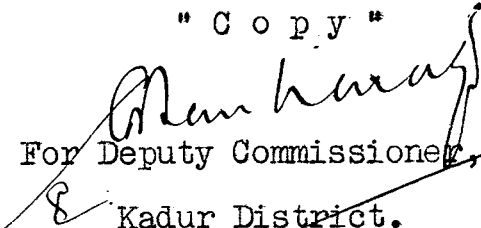
" C o p y "


for Deputy Commissioner,
Kadur District.

Post card dated 15-2-1939 from Mr.G.G.Sastry, Vakil, Kumpta,
to the Officer in charge, Sringeri Jahagir, Sringeri.

Your wire is duly to hand. The judgment is of 64 typed
pages. I shall send certified copy as early as possible. It
will cost about Rs 60/- Please therefore remit the ~~said~~ amount
by return of post and oblige.

" C o p y "


For Deputy Commissioner,

Kadur District.

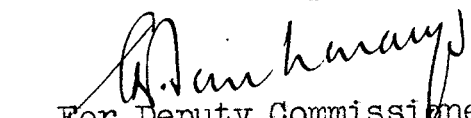
Telegram dated 22nd February 1939 from the Deputy Commissioner
Kadur District, Chikmagalur, to the Officer in charge, Sringeri.

FILE APPEAL KUMPTA CASE IMMEDIATELY.

~~xxxx~~ Depcom.

=====

" C o p y "


For Deputy Commissioner,
Kadur District.

mns.

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

Read:-

Correspondence ending with letter No.C.1364/35-36, dated 25th February 1939 from the Muzrai Commissioner, requesting in the circumstances reported, approval of the action taken by him in having approved of the action taken by the Officer-in-charge of Sringeri Jahagiri in having remitted a sum of Rs.60/- to the Mutt's Vakil (Mr.G.G.Sastry, Vakil, Kumpta) subject to adjustment in due course, for obtaining copy of judgment passed in O.S.No.504/34-35 on the file of the Sub-Court, Kumpta (suit for possession ^{of} certain properties belonging to Sri Sringeri Mutt at Gokarna), to file an appeal against the said judgment.

- - - - -

ORDER NO. *P4843-4 Law 115-38-3*

Dated, Bangalore, the *11th* March 1939.

A P P R O V E D.

B.K. Ramakrishna Murthy

For Additional Secretary to Government.

SB

The Muzrai Commissioner in Mys.
The Comptroller to Government.

SUBJECT

Adm
15/3

Diary No. of letter replied to.....

General and Revenue Secretariat

()
the 193

Section Law

File No. 1157-38

Serial No. 3

Proceedings of the Government of
His Highness the Maharaja of Mysore.

Date of issue 4/3/1939

Read—

Signed by Mr. BKR

May this be—

- (i) printed ?
- (ii) treated as a standing order ?
- (iii) published in the Gazette,
English Part ?
- (iv) translated ?
- (v) placed at the disposal of the press ?
- (vi) published in the Gazette,
Kannada Part ?

Correspondence ending
with letter no. C 1364/35-36, date
25th Feb: '39 from the Mug: Comm
requesting in the circumstances
reported approval of the action
taken by him in having
approved of the action taken
Order thereon. No.
by the officer-in-charge of
Sringeri jagadiri in having
remitted a sum of Rs 60/-
to the Mutthi Vakil (Mr. G. G.
Sastry, Vakil, Kumbhta), Subje
to adjustment in due course
for obtaining a copy of judg.
passed
ment in O. S. No. 504/3435

on the file of the Sub Court, Kumbha

(Suit for possession of certain

properties belonging to Sri

Sringeri Mutt at Gokarna).

to file an appeal against the

said judgment

Order No P4843-4.

Letter No.32-1347/36-37 dated 19-4-39 from the Deputy Commissioner
Madur District, to the Muzrai Commissioner in Mysore.

O.S.No.504/34-35 on the file of the Sub Court at Kumbata, for
possession of certain properties belonging to Sri Sringeri
Putt at Gokarna.

In continuation of this office even number dated 27th March 1939,
on the above subject, I have the honor to forward herewith copies of the
Letter No.H.C.38/38-39 dated 8-3-39 &) marginally noted communications
20-3-39) together with its enclosures ~~xxx~~
received from the Officer-in-Charge, Sringeri Jahagir, stating that the
appeal was filed on the 8th March 1939 and soliciting sanction for taking
for reference another copy of judgment of the Lower Court at a cost of
Rs 60 and permission to take execution proceedings for the possession of
B. scheduled properties and to state that under the circumstances explain^{ed}
by him, I have in anticipation of your kind approval instructed the
Officer-in-Charge to take another copy of the judgment as the copy al-
ready taken has been filed along with the appeal petition.

2. As regards the filing of an execution application for the poss-
ession of B. scheduled properties, I have requested the Officer-in-Charge
to submit a clear report in the matter and on its receipt a further com-
munication will be submitted.

A copy of the appeal is also enclosed for reference and kind return

"COPY"

M. N. Anantham.

For Muzrai Commissioner.

Additional Secretary to Govt.

The Muzrai Commissioner in Mysore,
Bangalore.

Subject:- O.S.No.504 on the file of the Sub-Court,
Kumta for possession of certain properties
belonging to Sri Sringeri Mutt at Gokarna.

With reference to your letter No.C.1364/35-36,
dated 5th May 1939 in regard to the above, I am directed
to return herewith as desired the copy of the appeal
petition and other papers received with the letter under
reference.

I have the honor to be,
Sir,
Your most obedient servant,



For Additional Secretary to
Government.



SUBJECT.....
.....
.....

Diary No. of letter replied to

General and Revenue Secretariat

()
the 193

Date of issue..... 17/5/39

Signed by..... Mr. BKR

List of enclosures.....

Copied by.....

Examined by.....

Section Law
File No.
Serial No.

No. P6089/Sec 4

To The Mag: Commr.

Subject: - O.S. No. 504 on the file
of the Sub Court, Kumpka for
possession of certain properties
belonging to Sri Sringeri Mutt at
Gokarna.

Sir,

With reference to your
letter no. C 1364/35-36, dated 5-5-39
~~as to~~ in regard to the above,
I am directed to return
as desired
herewith the copy of the appeal
petition and other papers received
with the letter under reference

I have etc

BKR
For Addl. Secy
[Signature]

SUBJECT.....

Section *Law*File No. *1151-38*

Serial No.

Diary No. of letter replied to.....

No. *P1172*

To

The Muz: Commr.

General and Revenue Secretariat

()
the 193Date of issue *24.8.39* Signed by..... *Mr. K. P. P.*

Subject:— O. S. No. *504/34-35*
on the file of the Sub Court,
Kumbla, for possession of
certain properties belonging to
Sri Sringeri Mutt at Gokarna

Sir,

In continuation of this
office letter no P 6089, date
17th May 1939 in regard
to the above, I am directed
to enquire ^{as to} when the ^{further} ~~present~~
~~for~~ communication referred
to in para 3 of your letter
no. C 1364/35-36, dated 5th May
1939 may be expected.

I have etc.

2

List of enclosures.....

Copied by.....

Examined by.....

For Secy: to Govt
Law Dept

In reply please refer to—

No. **S2.1347/36-37.**

Authentic
OFFICE OF THE DEPUTY COMMISSIONER.

KADUR DISTRICT.

Chikmagalur Dated, **31st August** 193 **9**

ENCs. **2.**

FROM

H.V. Ganapati Iyer, Esq., B.Sc.,

Deputy Commissioner,

Kadur District.

TO

S. Abdul Wajid, Esquire, B.A.,

Muzrai Commissioner in Mysore,

Bangalore.

Sir,

O.S.No.504/34-35 on the file of the Sub Court
Kumta, for possession of certain properties
belonging to Sri Sringeri Mutt at Gokarana.

With reference to your letter No.C.1364/35-36 dated
26/27th May 1939, calling for submission of further report on
the above subject, I have the honour to forward herewith copy
of letter No.H.C.88/38-39 dated 5.8.1939 together with that of
its enclosure received from the Officer-in-charge, Sringeri
Jahgir, requesting sanction to the advance of Rs.25/- made by
him to the Lawyer for obtaining certified copies required for
filing the execution application and to request that his action
may kindly be approved.

The Officer-in-charge, has not furnished the details
re: the B Schedule properties and their details and the manner
in which the Archakship is affected and the same has been called
for from the Officer-in-charge. On receipt of the same for
passing early orders a further communication will be made.

I have the honour to be,

Sir,

Your most obedient servant,

[Signature]
FOR DEPUTY COMMISSIONER
KADUR DISTRICT.

Letter dated 9-7-39 from Mr. G. G. Shastri, B.A., LL.B., Pleader, Kumta, to the Officer-in-Charge, Sringeri Mutt and Jahagir, Sringeri.

Your letter of 3-7-39 is duly to hand. Your previous letters were received in my office during vacation, when I was not here and remained unacknowledged. I am sorry for the delay.

As regards the copies of judgment ~~and decrees~~ they cannot be obtained here as all the papers have been sent to Karwar for appeal. Please write to Mr. K. R. Haldipur--the Karwar Pleader for the same. If the Mutt intends to take out execution for the possession of B. Schedule properties, I shall require the extracts of Record of Rights and a certified copy of the decree. The former is to be procured from the mamlatdar of Ankola and the latter from the District Court. After obtaining these, I can draft the execution application and send it for your signature. If I myself should obtain these documents please inform me about it and send 25 rupees for their expense. The cost of execution will come to about 25 rupees in all. I can obtain the necessary papers and take out execution. Please let me know about it.

With best wishes,

"COPY"

M. N. Shanmugam
For Muzrai Commissioner
#2

Letter No.H.C.88/38-39 dated 5-8-39 from the Officer-in-Charge,
to the Deputy Commissioner, Madur District, Chikmagalur.

With reference to your Memo No.S2-1347/36-37 dated 6-6-1939 forwarding copy of Muzrai Commissioner's letter re. appeal in C.S.No.504/34-35 on the file of the Sub Court at Kumta for possession of certain properties belonging to Sri Sringeri Mutt at Gokarna, I have the honor to enclose herewith copy of letter from the Vakil at Kumta, stating that execution proceedings will be taken if the Mutt intends to do so, after obtaining copies of necessary documents etc., and for the expense, a sum of Rs 50 would be required. As the expenditure in this connection has been approved in the letter addressed to the Additional Secretary to the Government, Law Department, by the Muzrai Commissioner in Mysore, Bangalore, copy of which has been sent with your Memo No.S2-1347/36-37 dated 12-5-1939, I have remitted to the law a sum of Rs 25 towards the cost of obtaining copies of documents required in connection with execution proceedings. I request that the action taken by may kindly be approved.

The lawyer in his letter dated 10-3-39 copy of which was enclosed with my letter No.H.C.88/38-39 dated 20-3-39, has opined that it is advisable to take out execution proceedings for the possession of R.Scheudel Properties and that if we obtain possession, the defendants would be handicapped in performing Archakship. The Vakil adds that no suit could be filed by them against the Mutt for the remuneration of Archakship so long as the appeal is pending and if at all they want to perform the Archakship they will have to do it without any remuneration or leave it off. In the circumstances, he desires execution proceedings to be taken. If approved, I shall send the other Rs 25 also required for the execution proceedings and ask the Vakil to take immediate action to file the execution application. Very early orders are requested.

As regards a statement of expenditure, the same is called for from the lawyer and on receipt of his reply with details of accounts, a report will be submitted.

"Copy"

M. N. Ananthamur.

For Muzrai Commissioner.

OFFICE OF THE MUZRAI COMMISSIONER
IN MYSORE,

Bangalore, ... 194

29

RUKN-UL-MULK

S. ABDUL WAJID, B.A.,

Muzrai Commissioner in Mysore,



H. V. Narayana Rao, Bsc., B.A., LI.B.,

Secretary to the Government of His Highness
the Maharaja of Mysore.

..... Law Department.

SIR,

Re. O.S.No.504/34-35 on the file of the Sub Court,
Kumta, for possession of certain proper-
ties belonging to Sri Sringeri
Mutt at Gokarna - Appeal
filed in the Karwar
District Court,
against the
decree in
the suit.

In continuation of this Office letter No.C.1364/34-35 dated
7-9-1939 re: the above, I have the honor to forward herewith, for
the information of Government, a copy of letter No.S2-1347/36
dated 11-4-1940 together with the enclosures received from the
Deputy Commissioner, Yadur District, reporting that in the above
appeal case, cross objections have been filed by the respondents
and that it would take some time before the appeal comes up for
hearing.

Another communication will be made after receipt of a further
report of progress in the case.

The report of the Officer-in-Charge, together with the state-
ment of cross objections and the Muzrai's letter sent herewith for
kind perusal may be kindly returned when done with.

for perusal.

Kar Seelam)

3
874

Hm
2
3/5 2/5

I have the honor to be,
Sir,
Your most obedient servant,

S. Abdul Wajid.

Muzrai Commissioner.

AL

when the papers went with his
de part 3 (overleaf)

draft returning is put up
approval

The papers on request of
etc and all the
claim that papers were
to return

App. F. XI 4]

File No. 115-38

Serial No. 3

Sus. Regr. No.

Shall a reminder issue to *The Muzrai Commissioner in Mysore* for a reply to this Office No. *30 No. P. 4843-44* dated the *11/3/1*

Subject: O.S. No. 504/34-35 on the file of the Sub Court -
Kumbla, for possession of certain properties belonging
to Sri Sringeri Mutt at Yokarna

WD 02699—GPB—10,000—26-10-4

Orders	Reminder No.	Date	Remarks
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Issue
on
16/1

5162/11-48

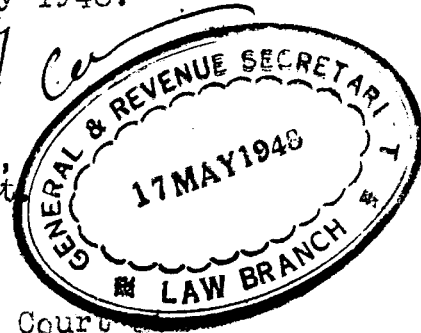
No. W2-185/43-44.

Encl

Office of the Muzrai Commissioner in Mysore,
Bangalore, 13th May 1948.

To

The Secretary to the Government of Mysore,
Law Department



Sir,

O.S.No.504/34-35 on the file of the Sub Court
Kumta, for the possession of certain proper-
ties, belonging to Sri Sringeri Mutt at Gokarna -
Appeal preferred in Karwar District Court.

In continuation of this office letter No.C.1364/35-36 dated
3rd August 1940, on the above subject, I have the honor to state
that the appeal came on for hearing in the District Court at Karwar,
on 4th March 1946; and that it was remanded to the Kumta Sub Court,
for recording evidence on three fresh issues (vide copy of letter
No.H.C.88/38-39 dated 28th May 1946, received from the Officer in-
Charge, Sringeri). In his further letter dated 17th July 1947, the
Officer in-Charge reported that the mutt was successful in the case.
It is, further, reported that the records were sent to the District
Court at Karwar, for further proceedings, and that the Mutt lawyers,
Messrs. T. Venkatasubba Sastry and A.R. Somanatha Iyer, attended the
Karwar Court on 18th June 1947, when the arguments were heard by the
Judges.

The Officer in-Charge, in his letter No.H.C.64/47-48 dated 1st
January 1948 (copy enclosed), reports that Messrs. C.G. Sastry, of
Kumta, and Haladipurkar, of Karwar, who conducted the case at Kumta
and Karwar, respectively, are claiming Rs 150/- and Rs 100/- each, as
additional remuneration for the extra trouble taken by them in conduct-
ing the suit and that, in view of the peculiar circumstances of the
case and the opinion furnished by Mr. T. Venkatasubba Sastry, who
attended the Court at Karwar, on the date of arguments, without any
fees as a disciple of the Mutt, he has sent Rs 100/- each, in anticipa-
tion of sanction. He requests that the action taken by him may be
approved.

In his further letter No.C.S.504/34-35 dated 15th April 1948
(copy enclosed), the Officer in-Charge reports that the respondents
in the Gokarna case have appealed to the High Court of Bombay. against

against the judgment of the District Judge at Karwar; that summons have been received, posting the case to 29th June 1948; that he has requested Mr. K. R. Haladipurkar, Vakil at Karwar, who handed the case in the District Court, to suggest the name of a competent lawyer for being engaged with the case; and requests that necessary sanction may be accorded in the matter.

I request that sanction of Government may be kindly obtained for engaging a competent lawyer to conduct the case in the High Court of Bombay, as desired by the Officer in-Charge. The action taken by the Officer in-Charge in having paid the remuneration of Rs 100/- to each of the Mutt Lawyers at Kumpta and Karwar, viz., Messrs. C.G. Sastry K.R. Haladipurkar, of Karwar, may also be approved by Government.

Letter No.H.C.88/38-39 dated 28th May 1940 from the Officer in-charge, Sri Bringeri Mutt & its properties Bringeri to the District Commissioner in Mysore.

Subject:- Bringeri Mutt properties at Gokarna C.S.504/34-35 on the file of the Sub Court at Nantur for possession of properties and appeal preferred in Karwar Court.

In continuation of this office report No.H.C.88/38-39 dated 24-2-1940 on the above subject, I have the honor to state that the appeal came on for hearing in the District Court at Karwar on 4th March 1940 and that it was remanded to the Nantur Sub Court for recording evidence and giving findings on 3 fresh issues. A copy of the remand order received from the Mutt lawyer at Karwar is enclosed for favour of kind perusal. When the case was in Nantur Sub Court, it was being handled by Mr. G.S. Sastry, Pleader at Nantur. As he is conversant with the facts of the case and the evidence available, I have requested him to conduct the further proceedings in the Nantur Court, as it is understood that the hearing has been posted for 10th July 1940. A further report will be submitted regarding the fees payable to him.

Letter No.C.64/47-48 dated 1st January, 1948 from the Officer in-charge, Sri Bringeri Mutt & its properties, Bringeri.

In continuation of my letter No.C.S.504/34-35 dated 17-7-47 re. the suit for the Mutt properties in Gokarna, I have the honor to state that Mr. G.S. Sastry of Nantur and Maladipurkar of Karwar are claiming Rs. 100/- and Rs. 100/- each respectively as additional remuneration for the extra trouble taken by them in conducting the suit. The usual fee due to them under the law has already been paid to them and they prefer this additional claim specifically on the ground of the special attention paid to and the trouble involved in the suit. I referred the matter to Mr. L. Venkatasubba Sastry, who attended the court at Karwar on the date of arguments without any fees as a disciple of the Mutt and I also met him at Shimoga on 31-12-1947 and asked his opinion on the merits of claims of the two pleaders. He has written to me to say in addition to telling me in person that a minimum of Rs. 100/- each will be the least remuneration that can be paid and that it is high time that it should have been paid. He further told me that the case has gone in appeal to the Bombay High Court and that we are likely to require the services of these two pleaders and that they must be paid immediately. I have gone through the files and it is a very contentious suit. The case has been fought on grounds of prestige, though the institution in Gokarna has no income at all.

In view of the peculiar circumstances of the case and the opinion furnished by Mr. L. Venkatasubba Sastry, I have sent the pleaders Rs. 100/- each in anticipation of kind sanction. I request that the action taken by me may kindly be approved.

I may submit in this connection that under the advice of Mr. L. Venkatasubba Sastry, I have sent a sum of Rs. 25/- subject to the production of proper accounts to Mr. Maladipurkar for obtaining copies of the judgment and decree and other incidental charges. I have reported this matter for kind information.

Letter No.C.S.504/34-35 dated 10th April 1948 from the Officer in-charge, Sri Bringeri Mutt & its properties, Bringeri.

In continuation of this office letter No.H.C.64/47-48 dated 10-2-48 re. the Gokarna Mutt case, I have the honor to report for your information that the respondents in the Gokarna case have appealed to the High Court of Bombay against the judgment of the District Judge at Karwar, North Canara District. Summons has been received posting the case for 29-6-48. I have requested Mr. N.M. Maladipurkar, Vakil at Karwar, who handled the case

case in the District Court to suggest the name of a competent lawyer who will be engaged with the case. I request that necessary sanction may kindly be accorded in the matter.

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

Law 115-38-6

R e a d:-

Correspondence ending with letter No.M2.185/43-44 dated 13-5-48 from the Muzrai Commissioner in Mysore, stating that an appeal was preferred against the judgment passed in O.S.No.504/34-35 on the file of the Subordinate Judge, Kumpta, that the appeal came on hearing in the District Court at Karwar on 4-3-1946, that it was remanded to the Kumpta Sub Court for recording evidence on three fresh issues and that the Sringeri Mutt was successful in the case and that the respondents in the case have appealed to the High Court of Bombay against the judgement of the District Judge at Karwar and requesting sanction to engage the services of a Competent lawyer to conduct the case in the High Court of Bombay.

ORDER NO. *8355-56 / Law 115-38-6*

D A T E D *12th* JUNE 1948

1) S a n c t i o n e d.

2) The action taken by the Officer-in-charge of Sringeri Mutt in having paid the remuneration of Rs.100/- to each of the Sringeri Mutt Lawyers at Kumpta and Karwar Viz. Messrs. C.G. Sastry and K.R. Halediperkar, of Karwar is also approved.

Phs.

Secretary to Government,
Law Department.

- 1) The Muzrai Commissioner in Mysore, Bangalore.
- 2) The Comptroller to Government,

GOVERNMENT OF MYSORE

Law 115-38-17
OFFICE OF

No. 112-185/43-44

Encls.

the Muzrai Commissioner in Mysore,

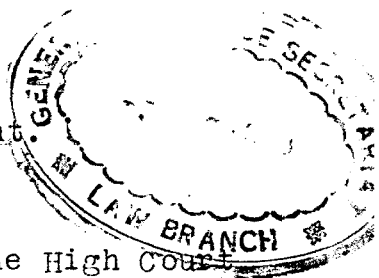
Bangalore.

date 30th July 1948.

To

The Secretary to the Government of Mysore,

Law Department.



Second Appeal No. 165/48-49 on the file of the High Court of Bombay, re. the Gokarna Mutt Case.

I have the honor to invite kind reference to G.O. No. 8355-56/Law 115-38-6 dated 12th June 1948, approving the action taken by the Officer in-Charge, Sri Sringeri Mutt & its properties, Sringeri, in having paid the remuneration of Rs 100/- to each of the Sringeri Mutt lawyers of Kumpta and Karwar, who conducted the first appeal in the District Court at Karwar, against the judgment passed in O.S. No. 504/35, on the file of the Subordinate Judge, Kumpta, and also, according sanction to engage the services of a competent lawyer to conduct the case which has been appeal^d for, in the High Court of Bombay, by the respondents in the above case, against the judgment of the District Judge at Karwar.

The Officer in-Charge, Sri Sringeri Mutt, in consultation with Sri K.R. Haladipurkar, Pleader, Karwar, who conducted the case in the I Appeal, has engaged Sri G.R. Madbhavi, B.A., LL.B., Advocate, "Sri Ramanivas", Thakur^ddar, Bombay, 2, for the careful conduct of the case in the High Court of Bombay, and has sent him the vakalatpatra, duly signed by him and also the documents relating to the case, including the judgment of the Lower Appellate Court.

In his letter dated 8th July 1948 (copy enclosed) addressed to the Officer in-Charge, Sri G.R. Madbhavi, Advocate, Bombay, has claimed a sum of Rs 300 towards his fees, and another sum of Rs 100/-, towards expenses. The Officer in-Charge, in his letter No. H.C. 64/47-48 dated 15th July 1948 (copy enclosed) reports that he has now sent him a sum of Rs 100/- towards part payment of his fees and another sum of Rs 100/- towards Court expenses, and solicits orders as to the exact amount of fees that may be paid to the Advocate.

The fee of Rs 300/- claimed by the Advocate at Bombay, is fair and reasonable.

In the circumstances I request that sanction of Government may be kindly obtained to the payment of a total sum of Rs 400/- to Sri G.R.Madbhavi. B.A.. LL.B., Advocate, Bombay out of which a sum of Rs 300/- will be towards his fees and the balance of Rs 100/-, to legal expenses, the charges being met out of the Mutt Funds

I have the honor to be,

Sir,

Your most obedient servant



Muzrai Commissioner.

1948

Letter No.H.C.64/47-48 dated 15th July / to the ~~Muzrai~~ ~~Commissioner~~ in Mysore, from the Officer in-Charge. Sringeri Mutt & its ~~property~~ Sringeri.

In continuation of my letter No.H.C.64/47-48 dated 25-6-48 re: second appeal No.168/48-49 on the file of the High Court of Bombay regarding the Gokarna Mutt Case, I have the honor to enclose herein for your kind information, copy of letter dated 8th July 1948 received from G.R.Madbhavi, B.A., Advocate, Bombay, promising careful conduct of the case and claim- LL.B ing Rs 300/- as fees and Rs 100/- as expenditure. I have now sent him Rs 200 Rs 100/- being an advance towards expenditure and another Rs 100/- being part payment towards his fees pending sanction. I request that orders may be kindly issued regarding the amount of fees I have to pay him.

Letter dated 8-7-1948 from Mr. G.R.Madbhavi, B.A., LL.B., Advocate Bombay

Re: Second Appeal No.165/48.

I have received the vakilpatra, and the paper book and the judgment of the lower appellate court. I have duly filled the Vakilpatra on behalf of the Mutt on the 29th ultimo. I will very carefully attend to your. You need have no anxiety about the same. I am herewith send the bill costs. You may send the amount at your convenience. The matter is a heavy one and hence I have charged Rs 300/- as my fees.

Kindly send the Blessing of Swamiji and oblige.
Bill of costs.

Advocate's fees	300/-
Expenses	100/-

Total	400/-
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"Copies"

Rupees four hundred or

KOR



For Muzrai Commissioner in

THE GOVERNMENT OF HIS HIGHNESS
E MAHARAJA OF MYSORE

Government Order No. 8355-56/Law.115-38-6 dated 12-6-1948

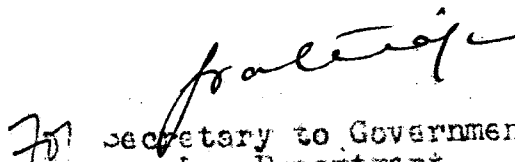
Sanction to engage the services of a competent lawyer at Bombay to conduct defence before the High Court of Bombay in Second Appeal No. 165/43-49 on the file of the High Court of Bombay.

2) Letter No. M2-185/43-44 dated 30-7-1948, from the Muzrai Commissioner in Mysore stating that the Officer-in-Charge of the Sri Sringeri Mutt has engaged the services of Sri Madbhavi Advocate, Bombay for conducting the above Second Appeal in the High Court of Bombay and requesting sanction to the payment of a fee of Rs.300/- (Rupees Three hundred only) to Sri Madbhavi for conducting the above Second Appeal and a further sum of Rs.100/- (Rupees one hundred only) towards the expenses in the Appeal.

ORDER NO. 2103-4/Law 115 38-8

DATED, BANGALORE, The 26th AUGUST 1948.

1. S a n c t i o n e d.
2. The cost on this account will be met out of the Sri Sringeri Mutt Funds.


Secretary to Government,
Law Department.

To

- 1) The Muzrai Commissioner in Mysore,
- 2) The Comptroller to Government of Mysore.

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

R E A D:-

Government Order No. 3355-56/Law.115-38-6 dated 12-6-1948 according sanction to engage the services of a competent lawyer at Bombay to conduct defence before the High Court of Bombay in Second Appeal No. 165/48-49 on the file of the High Court of Bombay.

2) Letter No.M2-185/43-44 dated 30-7-1948, from the Muzrai Commissioner in Mysore stating that the Officer-in-Charge of the Sri Sringeri Mutt has engaged the services of Sri Madbhavi Advocate, Bombay for conducting the above Second Appeal in the High Court of Bombay and requesting sanction to the payment of a fee of Rs.300/- (Rupees Three hundred only) to Sri Madbhavi for conducting the above Second Appeal and a further sum of Rs.100/- (Rupees one hundred only) towards the expenses in the Appeal.

ORDER NO.

2103-4/ Law 115-38-8
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1. S a n c t i o n e d.
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Secretary to Government,
Law Department.

To

- 1) The Muzrai Commissioner in Mysore,
- 2) The Comptroller to Government of Mysore.

SUBJECT.....

Diary No. of letter replied to.....

General and Revenue Secretariat.

the

194

Date of issue:..... 194 8

Signed by

S. V. R. W.

according sanction to

May this be—

- (i) printed ?
- (ii) treated as a Standing Order ?
- (iii) published in the Gazette, English Part ?
- (iv) translated ?
- (v) placed at the disposal of the Press ?
- (iv) published in the Gazette, Kannada Part ?

Second Appeal No
165 / 48-49 as the
1 in of the High Court

Section. Law
File No. 115-38
Serial No. 8

Proceedings of the Government of
His Highness the Maharaja of Mysore..

Read— G. O. 10-8355-56 / Law
115-38-6 dated 12-6-1948

~~According to~~ permitting the
~~Officer-in-charge of~~
~~Prisinger Hall~~ to engage
the services of a competent
at Bombay
Lawyer ~~to~~ to conduct the
before the High Court of Bombay
Order thereon.—No.

~~The second appeal filed~~

~~by the respondents~~
~~against the order of the~~
District Judge, ~~Karwar~~,
in the ^I appeal preferred before
31/11/48
~~them against the order of the~~
Subordinate Judge Kumbhar in
O. S. 534 of 34-35, in which it

2) Letter No. 172-185/43-44
dated 30.7.1948 from
the Nazari Commission in Nag
stating that the Officer-in-charge
of the Pri Pringri Patti has

engaged the services of Mr. Madhavi
Advocate Bombay ~~to conduct his~~

~~The second appeal before the
High Court of Bombay, referred
to in the G.O. dated 12.6.48
read above and that he has~~

~~sent to the Advocate a copy
of the copy of the order dated
12.6.48 for the conduct of~~

~~in the margin and request
approval of Govt. for the
above action taken by the
Officer-in-charge of the~~

~~Pri Pringri Patti~~

Order 2103-4/Law 115-38-8

26/8/48

(1) Sanction

for
Secy to Govt
Law Dept

1) The Naz Com
2) The Compt to Govt

5/8/48
11/8

WD 04162-GPB

and requesting sanction for
the payment of a fee of Rs 300/-
(Rupees Three hundred only) to
Mr. Madhavi for conducting the above
second appeal and a further sum
of Rs 100/- (Rupees one hundred only)
towards the appeal.